**IN THE HIGH COURT OF UTTARAKHAND ATNAINITAL**

**Writ Petition No. 409 of 2007 (M/S)**

Sri Satya Prakash S/O Sri Joyti Prasad, R/O Village Majri Grant Pargana Parwadoon Dehradun, District Dehradun.

**....Petitioner.**

**Versus**

1. Civil Judge (Junior Division) Dehradun.
2. Sri Sadhu Ram S/O Late Sri Rishal, R/O Majri Grant Parwadoon Dehradun, District Dehradun.

**…..Respondents.**

**Sri Lokendra Dobhal, learned counsel for the petitioner.**
**Sri Gopal Narain Srivastava, Brief Holder for the State, learned counsel for the respondent No.1-State.**

**Dated May 11, 2007.**

**Hon'ble B.S.Verma, J.**

The only prayer made in this writ petition is that the Civil Judge (Junior Division) Dehradun be directed to decide the Original Suit No. 470 of 2006, Satya Prakash Vs. Sadhu Ram, pending in that court expeditiously, with the allegation that the petitioner filed the suit against respondent no. 2 for permanent injunction in respect of property bearing Khasra No. 474, Minjumla 476 new Number 98 Kha, area 0.063 hectare, situate at Mauza Majri Grant Parwadoon Dehradun. Written statement has been filed by the defendant-respondent no.2. But thereafter, suit has not proceeded further so far. A copy of the entire order-sheet of the case has been annexed as Annexure No.3 to the writ petition, which shows that ex-parte ad interim injunction was granted in favour of the plaintiff-petitioner, but the application for temporary injunction has not so far been decided on merits.

In the course of argument, learned counsel for the petitioner submitted that the ends of justice will be subserved if the

trial court is directed to decide the Original Suit No. 470 of 2006 expeditiously.

In the facts and circumstances of the case, the Civil Judge (Junior Division) Dehradun is directed to decide the Original Suit No. 470 of 2006, Satya Prakash Vs. Sadhu Ram, on merit in accordance with law pending in that court expeditiously as far as possible. The trial court shall also decide the application for temporary injunction of the plaintiff (6-C) on merit expeditiously if not already disposed of.

With the above direction, the writ petition is disposed of finally.

All applications stand disposed of.

**(B.S. Verma, J.)**

RCP